

REMARKS

Applicant has carefully reviewed the office action mailed June 5, 2006 and offers the following remarks to accompany the above amendments.

Claims 11-22 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended claims 11 and 17. Applicant respectfully submits that claims 11 and 17, and the claims that depend from claims 11 and 17, are now directed to statutory subject matter. Claim 11 is now directed to a computer readable medium having software comprising instructions for instructing a computer to perform certain steps. A computer is clearly within the technological arts, and the computer readable medium claimed in claim 11 is within statutory subject matter because it results in “a useful, concrete and tangible result.” *State St. Bank & Trust Co. v. Signature Fin. Group, Inc.*, 149 F.3d 1368, 1373 (Fed. Cir. 1998), *cert. denied*, 525 U.S. 1093 (1999). Likewise, claim 17 now recites specific hardware and is therefore directed to statutory subject matter. The rejections under 35 U.S.C. § 101 should therefore be withdrawn.

Claims 1, 3, 4, 11, 13, 14, 17, 19, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0004952 to Nixon et al. (hereinafter “Nixon”). Applicant respectfully traverses. For a reference to be anticipatory, the reference must disclose each and every claim element. Further, the elements of the reference must be arranged as claimed. MPEP § 2131. The requirement that each and every element be disclosed in the manner claimed is a rigorous standard that the Patent Office has not met in this case.

Before addressing the rejection, Applicant provides a brief overview of the claimed invention. A configuration editing system according to the present invention allows multiple users to edit configuration data in the configuration database concurrently. The configuration database can include a large amount of configuration data and it can be advantageous for multiple users to edit the configuration data concurrently using multiple edit sessions. However, when multiple users edit the configuration data at the same time, conflicts can arise between the edits of the different users. A conflict can include any addition, modification, or deletion of a common element between the multiple users. An active edit view tracks proposed configuration changes for a single edit session in a list of changes. Multiple users edit the configuration database concurrently using individual edit sessions. Each edit session is associated with an independent edit view that includes a list of proposed changes to the configuration database. In

one embodiment, the user initiates an edit session and the session tracks the changes on a central processor and memory and not on the user's individual station. To apply updates to the configuration database, a user submits changes in the independent edit view such that their particular independent edit view becomes the active edit view. Only changes in the active edit view are applied to the configuration database.

The active edit view and the independent edit view need not be a complete copy of the configuration database, but instead include a proposed list of changes. A current view includes a most recent version of the configuration database changes and includes a list of previously applied changes to the configuration database. An edit in the active edit view is semantically checked and applied to the configuration database as a single transaction.

Since multiple users concurrently edit the configuration database using multiple independent edit views, changes applied to the configuration database by one user may conflict with the changes in another user's list of proposed changes. To resolve conflicts a user of a particular edit session accepts the current view version of the database, applies their own edit view version, or resolves the conflicts on an individual basis.

Claim 1 recites a method comprising:

receiving user-input configuration changes to a configuration file;

tracking the configuration changes in multiple independent edit views;

updating an active edit view to include configuration changes of a single independent edit view; and

updating a configuration database that stores the configuration file, according to the configuration changes in the active edit view.

Applicant respectfully submits that Nixon does not teach “updating an active edit view to include configuration changes of a single independent edit view” and then “updating a configuration database that stores the configuration file, according to the configuration changes in the active edit view.” The Patent Office asserts that Nixon discloses this limitation in paragraph 0040. Nixon discloses a system having multiple databases distributed at a plurality of physical locations (Nixon, Abstract). In addition, users at various devices may, through a configuration application, add new devices or other elements to the system or change already existing elements (Nixon, paragraph 0033). One of the databases is a master database which stores the master copy of all configuration items (Nixon, paragraph 0040). The other databases

are called briefcase databases and access some or all of the information in the master database on an as needed basis, download data from the master database, and enables users to view and change that data. *Ibid.* Changed data can be uploaded to the master configuration database to assure that other users have access to the changed data via the master database. *Ibid.* However, Paragraph 0040 of Nixon does not provide any details as to how the changed data is uploaded to the master database or how other users get access to the changed data. In particular, there is no mention of an active edit view that includes configuration changes of a single independent edit view and therefore no mention of updating a configuration database according to the changes made in the active edit view. Thus, Nixon does not teach the method of the claimed invention, where an active edit view is used to update the configuration database.

The Patent Office interprets that the configuration/master database 30 of Nixon is the same as an active edit view since active edit view is stored in the master database to store the changes made in the briefcase database (Office Action mailed June 5, 2006, p. 4). Applicant respectfully disagrees. The master database does store the changes made by the users. However, there is no teaching of an active edit view stored in the master database. In fact, there is no disclosure of an active edit view that includes changes from a single independent edit view and updates the configuration database accordingly. In other words, in Nixon, the changes are not made by tracking changes in the multiple independent edit views, updating an active edit view to include changes of a single edit view from the multiple edit views, and then updating the database to include only the changes from the active edit view, as in the present invention. Thus, Nixon does not teach “updating an active edit view to include configuration changes of a single independent edit view” and then “updating a configuration database that stores the configuration file, according to the configuration changes in the active edit view.” Since Nixon does not teach each and every limitation of claim 1, it does not anticipate claim 1.

Claims 11 and 17 as amended have similar limitations as claim 1, and are therefore patentable for at least the same reasons as claim 1.

Claims 2-10, 12-16, and 18-22 depend from claims 1, 11, and 17, respectively, and further define the claimed invention. Since each of these dependent claims contain each limitation of their respective independent claims, claims 2-10, 12-16, and 18-22 are patentable for each of the same reasons as claims 1, 11, and 17.

Claims 5-10, 15, 16, 21, and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nixon in view of U.S. Patent No. 6,889,231 to Souder et al. (hereinafter “Souder”). Applicant respectfully traverses. For the Patent Office to combine references in an obviousness rejection, the Patent Office must do two things. First, the Patent Office must establish *prima facie* obviousness by showing where each and every element is taught or suggested in the combined references. MPEP § 2143.03. Second, the Patent Office must state a motivation to combine the references. The motivation must be supported with actual evidence which cannot come from Applicant’s disclosure. *In re Dembiczkak*, 175 F.3d 994, 999 (Fed. Cir. 1999).

First, Applicant respectfully submits that the proposed combination is improper because the Patent Office has failed to provide any actual evidence to support the stated motivation to combine Nixon and Souder. The Patent Office asserts that it would have been obvious to combine Nixon and Souder “to share the information between two different databases and resolve any errors by performing automatic conflict detection, resolution and performing transformations.” (Office Action mailed June 5, 2006, pp. 7-8). However, the Patent Office offers no actual evidence to support this stated motivation to combine Nixon and Souder. Since the Patent Office has offered no actual evidence to support the stated motivation, the motivation is improper. *In re Dembiczkak*, 175 F.3d 994, 999 (Fed. Cir. 1999). Since the motivation is improper, the proposed combination is improper. Since the proposed combination is improper, the rejection is improper and should be withdrawn.

Even if the combination of Nixon and Souder was proper, a point Applicant does not concede, the combination does not teach or suggest the claimed invention. Claim 5 and 6 depend indirectly from claim 1. Since Nixon does not disclose each and every limitation of claim 1, as discussed above, claims 5 and 6 are patentable for at least the same reasons as claim 1. Souder does not cure the deficiencies of Nixon with respect to claim 1. Claim 5 also recites “identifying a conflict between an independent edit view and the list of changes.” Claim 6 depends from claim 5 and adds the limitation of “wherein a conflict includes a modification to an element included in both the list of changes and the independent edit view.” Souder does not teach or suggest the elements for which it is cited. The Patent Office cites to Souder, col. 13, lines 34-36 as teaching the recited elements. The Patent Office is interpreting the source database of Souder as an independent view and the destination database as containing a list of changes (Office

Action mailed June 5, 2006, p. 7). Souder does disclose that a conflict arises when the same row in a source database and destination database is changed at approximately the same time (Souder, col. 13, lines 34-36). However, the cited portion of Souder does not mention an independent edit view or a list of changes. The source database of Souder is not equivalent to an independent edit view of the claims. Quite simply, a database is not an independent edit view screen. Moreover, there is no indication that the destination of database contains a list of changes. Finally, Souder does not teach or suggest “identifying a conflict between an independent edit view and the list of changes.” Souder merely discusses a conflict when the same row of two databases is changed at approximately the same time. This is not equivalent to a conflict between an independent edit view and a list of changes. Since Souder does not teach the element for which it is cited, and the Patent Office admits Nixon does not teach this element, claims 5 and 6 are patentable for this additional reason. Claims 15 and 21 have a similar limitation as claim 5, and are therefore patentable for at least the same reason.

Claim 8 depends from claim 5 and is patentable for at least the same reasons. In addition, claim 8 recites “updating the independent edit view based on the active edit view such that the independent edit view includes the changes to the configuration database.” The Patent Office asserts this limitation is taught by Nixon in paragraph 0054 (Office Action mailed June 5, 2006, p. 9). Paragraph 0054 of Nixon merely states that different sites may download some or all of the same configuration information from the master database to the briefcase databases and that users at the different remote sites may reserve separate items to be changed. The users reserving separate items to be changed in Nixon is not the same as the claimed updating the independent edit view based on the active edit view such that the independent edit view includes the changes to the configuration database. In addition, in Nixon, there is no teaching of updating the independent edit view based on the active edit view, as claimed by the present invention. Thus, claim 8 is patentable for this additional reason.

Claims 2, 12, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nixon in view of Souder and further in view of U.S. Patent No. 5,884,075 to Hester et al. (hereinafter “Hester”). Applicant respectfully traverses. The standards for obviousness are set forth above.

First, Applicant respectfully submits that the proposed combination is improper because the Patent Office has failed to provide any actual evidence to support the stated motivation to

combine Nixon and Hester. The Patent Office asserts that it would have been obvious to combine Nixon and Hester “to resolve conflicts by excluding or including devices, which arise conflicts by the addition of a new or unconfigured device to a computer system having one or more system resources.” (Office Action mailed June 5, 2006, p. 12). However, the Patent Office offers no actual evidence to support this stated motivation to combine Nixon and Hester. Since the Patent Office has offered no actual evidence to support the stated motivation, the motivation is improper. *In re Dembicza*k, 175 F.3d 994, 999 (Fed. Cir. 1999). Since the motivation is improper, the proposed combination is improper. Since the proposed combination is improper, the rejection is improper and should be withdrawn.

Even if the combination of Nixon and Hester were proper, a point Applicant does not concede, the combination does not teach or suggest the claimed invention. Claim 2 depends directly from claim 1. Since Nixon does not disclose each and every limitation of claim 1, as discussed above, claim 2 is patentable for at least the same reasons as claim 1. Hester does not cure the deficiencies of Nixon with respect to claim 1. In addition, claim 2 (and claims 12 and 18) recite the further limitation of “checking syntax and semantics of the active edit view before updating the configuration database.” The Patent Office admits Nixon does not teach or suggest this limitation, but alleges that Hester teaches this limitation at col. 8, lines 20-31. In Hester, pattern matching is used to retrieve possible resource combinations on configurations from a device. The cited portion of Hester discloses that the first pattern consists of wild cards, that is, the conflict resolution engine (CRE) asks a device for a resource combination without imposing constraints. If there is no conflict with the first resource type, the pattern is updated. When a conflict arises, an exclude mask is updated. Applicant is unsure what the Patent Office is equating to the claimed syntax and semantics. Syntax and semantics are discussed in paragraphs 0020-0022 of the Specification of the current application. Hester does not teach the claimed checking of systems and semantics. The pattern matching of Hester using wild cards and exclude masks is not equivalent to the claimed “checking syntax and semantics of the active edit view before updating the configuration database.” Since Hester does not teach the element for which it is cited, and the Patent Office admits Nixon does not teach this element, claims 2, 12, and 18 are patentable for this additional reason.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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